

CITY OF AUSTIN, TEXAS

ORDINANCE NO. 96-0523-0

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS:

9.90 ACRE TRACT OF LAND OUT OF THE RACHAEL SAUL SURVEY, ABSTRACT NO. 551 IN WILLIAMSON COUNTY, TEXAS FROM "GR" COMMUNITY COMMERCIAL DISTRICT, "LI" LIMITED INDUSTRIAL SERVICES DISTRICT, AND "P" PUBLIC DISTRICT TO "MF-3-CO" MULTIFAMILY RESIDENCE(MEDIUM DENSITY)-CONDITIONAL OVERLAY COMBINING DISTRICT, AND MORE PARTICULARLY IDENTIFIED IN THE MAP ATTACHED AS EXHIBIT "A" TO THIS ORDINANCE,

LOCALLY KNOWN AS THE PROPERTY SITUATED ALONG AND NEAR THE INTERSECTION OF PARMER LANE AND SPECTRUM DRIVE, IN THE CITY OF AUSTIN, WILLIAMSON COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5, AND 2-2-7 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That Chapter 13-2 of the Austin City Code of 1992 is amended to change the base zoning district from "GR" Community Commercial district, "LI" Limited Industrial Services district, and "P" Public district to "MF-3-CO" Multifamily Residence (Medium Density)-Condition Overlay Combining district on the property described in File C14-96-0045, as follows:

9.90 acre tract of land out of the Rachael Saul Survey, Abstract No. 551, in Williamson County, Texas, said 9.90 acre tract of land being more particularly described by metes and bounds in Exhibit "B" attached hereto and incorporated herein for all purposes,
[hereinafter referred to as the "Property"]

locally known as the property situated along and near the intersection of Parmer Lane and Spectrum Drive, in the City of Austin, Williamson County, Texas, and more particularly identified in the map attached as Exhibit "A".

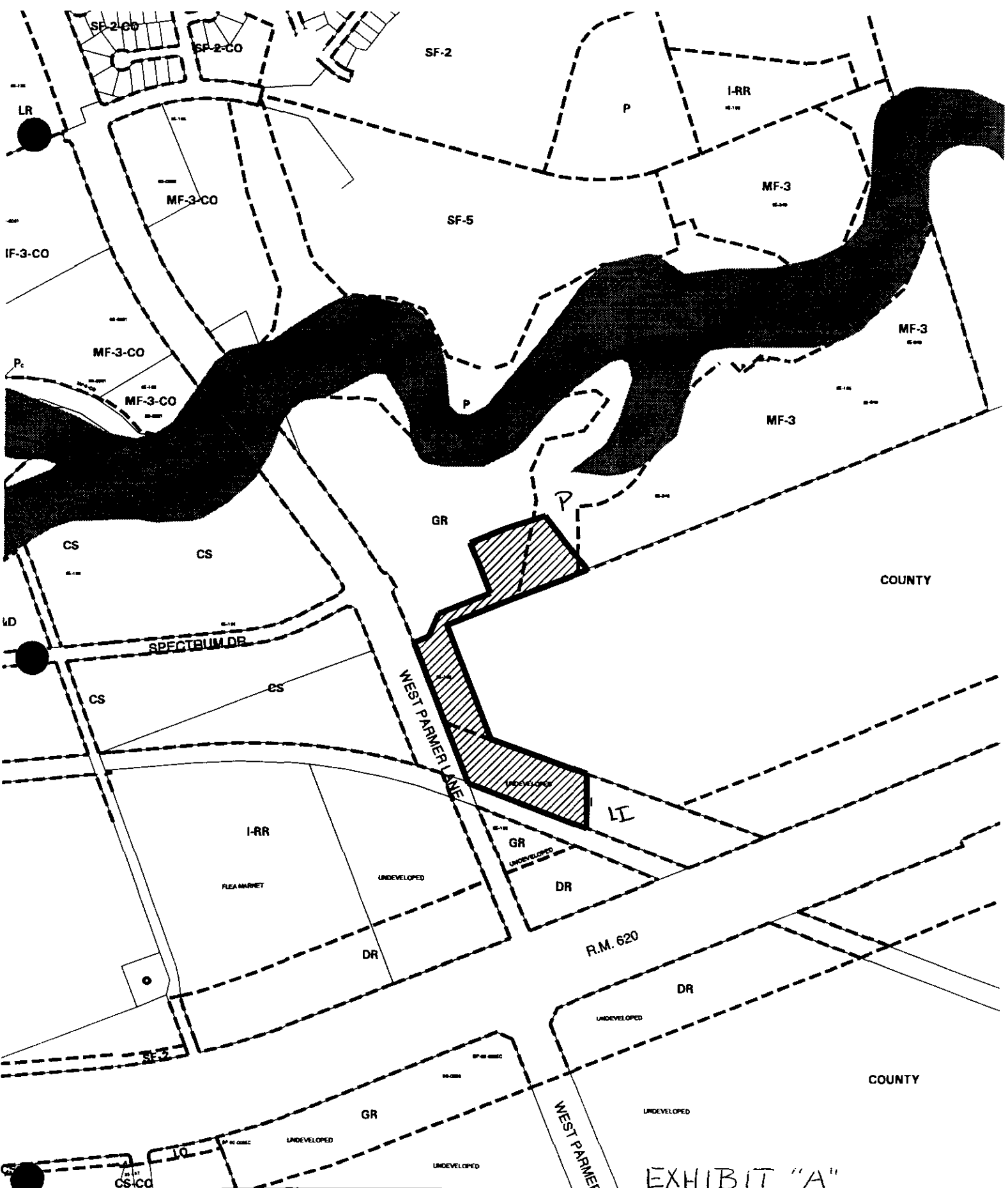
PART 2. That the Property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following conditions:

Notwithstanding any other provision of the Land Development code applicable to the Property on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property, or any portion of the Property, shall be approved or released, and no building permit for construction of a building on the Property, shall be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of the Property, generates traffic exceeding the total traffic generation of 2,000 vehicle trips per day.

Except as specifically restricted pursuant to this ordinance, the Property may be developed and used in accordance with the regulations established for the "MF-3" base district and other applicable requirements of the Land Development Code.

PART 3. That it is ordered that the Zoning Map established by Section 13-2-22 of the Austin City Code of 1992, as amended, and made a part thereof shall be changed to record the amendment enacted by this ordinance.

PART 4. That the requirements imposed by Sections 2-2-3, 2-2-5, and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five members of the City Council.



960523-0





 1" = 600'	SUBJECT TRACT		CASE #: C14-96-0045 SUBJECT AREA (acres): 9.900 ADDRESS: W. PARKER LN. & RM 620	CITY GRID REFERENCE NUMBER H40
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR:			
CYCLE: 96-03		INTLS: TRC		

EXHIBIT "A"

Davis Spring Properties, Ltd.
Zoning Case
9.90 Acres

FN 0249 (JKH)
January 11, 1996
SAM, Inc. Job No. 96004-01

DESCRIPTION OF 9.90 ACRES OF LAND LOCATED IN THE RACHAEL SAUL SURVEY, ABSTRACT NO. 551 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 515.915 ACRE TRACT OF LAND DESCRIBED AS TRACT 2 IN THE SPECIAL WARRANTY DEED TO DAVIS SPRING PROPERTIES, LTD. AS RECORDED IN VOLUME 2199, PAGE 202 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 9.90 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod set for the intersection of the east right-of-way line of Parmer Lane West (F. M. Hwy. 734), a 200-foot wide right-of-way dedicated by the plat of Davis Spring Section 2 Street Dedication, a subdivision of record in Cabinet "H", Slide 63 of the Plat Records of Williamson County, Texas, and the northerly right-of-way line of the Southern Pacific Railroad, a 100-foot wide strip of land as described in deed recorded in Volume 33, Page 565 of the Deed Records of Williamson County, Texas, being the southwest corner of the tract described herein, from which point a TxDOT Type II right-of-way monument found bears, N 26° 21' 07" W, a distance of 0.76 feet;

THENCE with said east right-of-way line of Parmer Lane West for a west line hereof, N 21° 40' 24" W, a distance of 733.73 feet to a 1/2-inch iron rod set for the most western northwest corner hereof;

THENCE leaving said right-of-way line and crossing said 515.915 acre tract with northern lines hereof, the following six (6) courses and distances:

1. N 68° 18' 57" E, a distance of 76.32 feet to a 1/2-inch iron rod set,
2. N 23° 18' 57" E, a distance of 121.57 feet to a 1/2-inch iron rod set,
3. N 68° 18' 57" E, a distance of 271.96 feet to a 1/2-inch iron rod set,
4. N 21° 41' 03" W, a distance of 263.33 feet to a 1/2-inch iron rod set in the curving south line of a proposed 70-foot wide right-of-way for the most northern northwest corner hereon,
5. with the arc of a curve to the right, a distance of 389.79 feet through a central angle of 07° 26' 40", having a radius of 3000.00 feet and chord which bears N 70° 09' 31" E, a distance of 389.52 feet to a 1/2-inch iron rod set for the northeast corner hereof, and
6. S 38° 10' 12" E, a distance of 333.20 feet to a 1/2-inch iron rod found in a south line of said 515.915 acre tract for the northeast corner of that called 10.100 acre tract of land described in the Special Warranty Deed to Davis Spring Properties, Ltd, recorded as Document No. 9540417 in the Official Deed Records of Williamson County, Texas, being a southeast corner of the tract described herein;

THENCE with the north line of said 10.100 acre tract and the south line of said 515.915 acre tract, the following two (2) courses and distances:

1. S 68° 46' 22" W, a distance of 405.00 feet to a 1/2-inch iron rod found, and
2. S 68° 15' 51" W, a distance of 322.45 feet to a 1/2-inch iron rod found for the northwest corner of said 10.100 acre, being an interior ell corner of said 515.915 acre tract and of the tract

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described herein;

✓ THENCE with the west line of said 10.100 acre tract, being an east line of said 515.915 acre tract, S 21° 31' 57" E, a distance of 578.61 feet to a 1/2-inch iron rod found for the southwest corner of said 10.100 acre tract, being an interior ell corner of said 515.915 acre tract and the tract described herein;

✓ THENCE with the south line of said 10.100 acre tract, being a north line of said 515.915 acre tract, S 69° 15' 14" E, a distance of 499.43 feet to a 1/2-inch iron rod found for the southeast corner of said 10.100 acre tract and the northwest corner of that called 4.326 acre tract of land described in the deed to Ilean C. Pearson et al, Trustees recorded as Document No. 9540421 in the Official Records of Williamson County, Texas, being a northeast corner of the tract described herein;

✓ THENCE with the west line of said 4.326 acre tract, crossing said 515.915 acre tract, S 00° 08' 17" E, a distance of 275.34 feet to a 1/2-inch iron rod found for the southwest corner of said 4.326 acre tract, being in a south line of said 515.915 acre tract and in said northerly right-of-way line the Southern Pacific Railroad and being the most southern corner hereof;

THENCE with said right-of-way line and said south line of the 515.915 acre tract, the following two (2) courses and distances:

- ✓ 1. N 69° 14' 27" W, a distance of 612.98 feet to a 1/2-inch iron rod found for a point of curvature, and
- ✓ 2. with the arc of a curve to the left, a distance of 6.02 feet through a central angle of 00° 06' 49", having a radius of 3035.36 feet and chord which bears N 69° 17' 52" W, a distance of 6.02 feet to the POINT OF BEGINNING and containing 9.90 acres of land, more or less.

Basis of Bearings: Texas Department of Transportation FM 734 (Parmer Lane West) right-of-way plans. Engineer's Centerline Station 238+00 to Engineer's Centerline Station 267+39.21. Held strip map bearing call - S 20° 22' 20" E.

THE STATE OF TEXAS |

COUNTY OF TRAVIS |

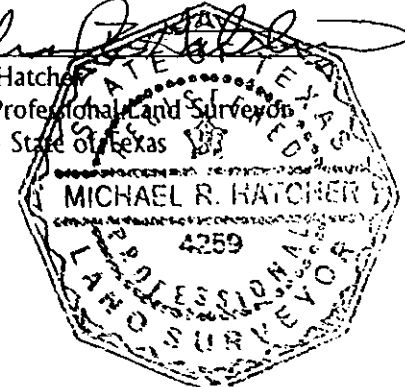
KNOW ALL MEN BY THESE PRESENTS:

That I, Michael R. Hatcher, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during December 1995 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 11th day of January, 1996 A.D.

SURVEYING AND MAPPING, Inc.
4029 Capital Of Texas Hwy., So. Suite 125
Austin, Texas 78704

Michael R. Hatcher
Michael R. Hatcher
Registered Professional Land Surveyor
No. 4259 - State of Texas



960523-0

DAVIS SPRING PROPERTIES, LTD.
(TRACT 2 - 515.915 ACRES)
VOL. 2199 PG. 202

$\Delta = 07'26''40''$
 $R = 3000.00'$
 $L = 389.79'$
 $C = 389.52'$
 $N 70'09''31'' E$

SCALE: 1" = 200'
WILLIAMSON COUNTY, TEXAS



PROPOSED 70' R.O.W.

DAVIS SPRING CAB. "H"
PARMER LANE WEST (F.M. 734)
SECTION 2 STREET DEDICATION
SLIDE 85

LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET

IVEAN PEARSON
VOL. 359 PG. 339
REMAINDER

DAVIS SPRING PROPERTIES, LTD.
(10.100 ACRES)
DOCUMENT NO. 9540417

BEARING BASIS:

TEXAS DEPARTMENT OF TRANSPORTATION FM 734
(PARMER LANE WEST) RIGHT-OF-WAY PLANS.
ENGINEERS CENTERLINE STATION 238+00 TO
ENGINEERS CENTERLINE STATION 267+38.81
S 20' 22' 20" E

POINT OF BEGINNING
1/2" IRON ROD SET FROM WHICH
A T X D O T TYPE II MONUMENT
BEARS N26°21'07"W 0.76'

9.90 ACRES

DETAIL
NOT TO SCALE

POINT OF BEGINNING
 $\Delta = 00'06''49''$
 $R = 3035.36'$
 $L = 6.02'$
 $C = 6.02'$
 $N 69'17''52'' W$

RACHAEL SAUL
SURVEY ABST. NO. 551

DAVIS SPRING PROPERTIES, LTD.
(TRACT 3 - 10.00 ACRES)
VOL. 2199 PG. 202

IVEAN C. PEARSON ET AL,
TRUSTEES
4.326 ACRES
DOCUMENT NO. 9540421

THOMAS P. DAVY
SURVEY ABST. 169

PAGE 3 OF 3

SAM INC.
SURVEYING AND MAPPING INC.

4029 Capital of Texas Highway, So.
Brodie Oaks Professional Plaza, Suite 125
Austin, Texas 78704
(512) 447-0575
Fax: (512) 326-3029

SKETCH TO ACCOMPANY
FIELD NOTE 0249

960523-0

PO#: 960523-0

Ad ID#: 5VQZ03000

Acct #: 4992499

Austin American-Statesman

Acct. Name: City Clerk

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

David DeVargas

Classified Advertising Agent of the *Austin American-Statesman*, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

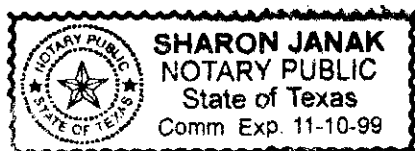
Date (s): June 4th, 1996

Class: 9980 Lines: 31 Cost: \$76.26

and that the attached is a true copy of said advertisement.

[Signature]

SWORN AND SUBSCRIBED TO BEFORE ME, this the 4th day of June 1996.



[Signature]
Notary Public in and for
TRAVIS COUNTY, TEXAS

Sharon Janak
(Type or Print Name of Notary)

My Commission Expires: 11/10/99

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CITY CODE OF 1992, AND PROVID-
ING AN EFFECTIVE DATE.
MAYOR BRUCE TODD
AUSTIN, TEXAS